

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

COMMON CAUSE, *et al.*,

Plaintiffs,

v.

ROBERT A. RUCHO, in his official
capacity as Chairman of the North
Carolina Senate Redistricting Committee
for the 2016 Extra Session and Co-
Chairman of the Joint Select Committee
on Congressional Redistricting, *et al.*,

Defendants.

CIVIL ACTION
No. 1:16-CV-1026-WO-JEP

THREE-JUDGE COURT

League of Women Voters of North
Carolina, *et al.*,

Plaintiffs,

v.

Robert A. Rucho, in his official capacity
as Chairman of the North Carolina
Senate Redistricting Committee for the
2016 Extra Session and Co-Chairman of
the 2016 Joint Select Committee on
Congressional Redistricting, *et al.*,

Defendants.

CIVIL ACTION
No. 1:16-CV-1164-WO-JEP

THREE JUDGE PANEL

**MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS
FIRST AMENDED COMPLAINT FILED BY LEAGUE OF WOMEN VOTERS
OF NORTH CAROLINA ("LWVNC") PLAINTIFFS IN CASE NO. 1:16-CV-1164**

Pursuant to Fed. R. Civ. P. 12(b)(6) and L.R. 7.3, defendants hereby move to dismiss Plaintiff LWVNC's first amended complaint. In support of their motion, defendants respectfully incorporate the arguments contained in defendants' original memorandum in support of motion to dismiss (D.E. 31), as well as arguments contained in defendants' reply brief. (D.E. 35)¹

Respectfully submitted this 21st day of February, 2017.

NORTH CAROLINA DEPARTMENT OF
JUSTICE

By: /s/ Alexander McC. Peters
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¹ All docket entry citations (D.E. _) denote citations to the docket in *League of Women Voters, et al v. Rucho, et al*, No. 1:16-CV-1164-WO-JEP (M.D.N.C.) (three judge panel).

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/s/ Thomas A. Farr

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CERTIFICATE OF SERVICE

I, Thomas A. Farr, hereby certify that I have this day electronically filed the foregoing **DEFENDANTS' MEMORANDUM IN SUPPORT OF MOTION TO DISMISS FIRST AMENDED COMPLAINT FILED BY LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA ("LWVNC") PLAINTIFFS IN CASE NO. 1:16-CV-1164** with the Clerk of Court using the CM/ECF system which will provide electronic notification of the same to the following:

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This the 21st day of February, 2017.

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